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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,702	02/19/2004	Joseph J. Brychell III	MS1-1612US	5595
22801	7590	09/19/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LEE, WILSON	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/783,702

Applicant(s)

BRYCHELL ET AL.

Examiner

Wilson Lee

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/5/05, 2/23/05, 7/28/06, 5/31/06</u> | 6) <input type="checkbox"/> Other: ____  |

### **Claim Rejections – 35 U.S.C. 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hadfield et al. (US2004/0205653).

Regarding Claim 1, Hadfield discloses a method of managing XML documents (See Figures 7, 13, 14), comprising:

- receiving an original XML document that includes information from a hierarchical database (See paras. 0102 to 0105);
- generating a copy of the original XML document (See step 416 in Figure 7);
- annotating the original XML document with an identifier that uniquely identifies each node in the document and a corresponding node in the copy of the XML document (See para. 0105);
- accepting at least one edit operation to the original XML document (See Step 418 in Figure 7);
- modifying at least one annotation to the original XML document in response to the at least one edit operation (See para. 0105);

- identifying at least one change to the original XML document as a result of the at least one edit operation (See para. 0104); and
- updating the database to reflect the change to the original XML document (See para. 0104).

Regarding Claim 2, Hadfield discloses that annotating the original XML document with an identifier that uniquely identifies each node in the document and a corresponding node in the copy of the XML document comprises assigning an annotated identifier to each node in the original XML document (See paras. 0010, 0053, 0062, 0084, 0111).

Regarding Claim 3, Hadfield discloses that the annotated identifier is characterized by an attribute that is assigned a namespace that uniquely identifies an update process (See paras. 0102-0105).

Regarding Claim 4, Hadfield discloses that the attribute is characterized by a name that is randomly generated (See pre-filled Subject field) (See para. 0102).

Regarding Claim 5, Hadfield discloses that:

- annotating the original XML document with an identifier that uniquely identifies each node in the document and a corresponding node in the copy of the XML document comprises assigning an annotated identifier to each node in the original XML document (See paras. 0102-0105); and
- modifying at least one annotation to the original XML document in response to the at least one edit operation comprises removing the

annotated identifier from one or more nodes that are copies of another node in the document (See paras. 0006, 0010, 0053, 0062, 0084, 0111).

Regarding Claim 6, Hadfield discloses that identifying at least one change to the original XML document as a result of the at least one edit operation comprises searching the original XML document for one or more new entries (See paras. 0082, 0084, 0107).

Regarding Claim 7, Hadfield discloses that updating the database to reflect the change to the original XML document comprises inserting the new entries into the database (See paras. 0083, 0092, 0104).

Regarding Claim 8, Hadfield discloses updating the database to reflect the change to the original XML document comprises updating database data from the original XML document (See paras. 0102-0105).

Regarding Claim 9, Hadfield discloses that re-annotating the original XML document for further processing (See para. 0105).

Regarding Claim 10, Hadfield discloses that re-annotating the original XML document comprises updating the XML document to reflect one or more changes to the database data (See paras. 0102-0105).

Regarding Claim 11, Hadfield discloses a system for managing XML documents, comprising a computing device (Computer. See Figures 2, 3) inherently including a display, a user-input device, and a processing unit, and a memory module the memory module comprising:

- a database module to retrieve data from a database (Data stored. See para. 0012), and to format and display the data in an original XML document (See paras. 0017, 0034, 0069);
- an XML processing module to generate a copy of the original XML document (See step 416 in Figure 7) and to annotate at least one of the original XML document (See para. 0105) and the copy of the XML document with an identifier that uniquely identifies each node in the document (See paras. 0010, 0053, 0062, 0084, 0111);
- an XML editing module to accept edits (See Step 418 in Figure 7) to the original XML document and to modify at least one annotation to the XML data in response to the at least one edit (See paras. 0104-0105 and Figure 13);
- an XML conversion module to identify at least one change to the original XML document as a result of the at least one edit operation; and to update the database to reflect the change to the original XML document. (See paras. 0104-0105).

Regarding Claim 12, Hadfield discloses that the XML processing module assigns an annotated identifier to each node in the original XML document (See paras. 0010, 0053, 0062, 0084, 0111).

Regarding Claim 13, Hadfield discloses that the annotated identifier is characterized by an attribute that is assigned a namespace that uniquely identifies an update process (See paras. 0102-0105).

Regarding Claim 14, Hadfield discloses that the attribute is characterized by a name that is randomly generated (See pre-filled Subject field) (See para. 0102).

Regarding Claim 15, Hadfield discloses that the XML processing module assigns an annotated identifier to each node in the original XML document; and the XML editing module removes the annotated identifier from one or more nodes that are copies of another node in the document (See paras. 0006, 0010, 0053, 0062, 0084, 0111,).

Regarding Claim 16, Hadfield discloses that the XML conversion module searches the original XML document for one or more new entries (See paras. 0082, 0084, 0107).

Regarding Claim 17, Hadfield discloses that the XML conversion module inserts one or more new entries in the original XML document into the database (See paras. 0083, 0092, 0104).

Regarding Claim 18, Hadfield discloses that the XML conversion module updates the database to reflect the changes to the data in the original XML data (See paras. 0102-0105).

Regarding Claim 19, Hadfield discloses that the XML re-annotation module re-annotates the original XML document for further processing (See paras. 0102-0105).

Regarding Claim 20, Hadfield discloses that the XML re-annotation module updates the XML document to reflect one or more changes to the database data (See paras. 0102-0105).

Regarding Claim 21, Hadfield discloses one or more computer-readable media comprising computer executable instructions that, when executed on a computer (See Figures 2, 3), direct the computer to:

- receive an original XML document that includes information from a hierarchical database (See paras. 0102-0105);
- generate a copy of the XML document (See step 416 in Figure 7);
- annotate at least one of the original XML document and the copy of the XML document with an identifier that uniquely identifies each node in the document (See para. 0105);
- accept at least one edit operation to the original XML document (See Step 418 in Figure 7);
- modify at least one annotation to the XML in response to the at least one edit operation (See para. 0105);
- identify at least one change to the original XML document as a result of the at least one edit operation (See para. 0104); and
- update the database to reflect the change to the original XML document (See para. 0104).

Regarding Claim 22, Hadfield discloses the one or more computer-readable media further comprising computer executable instruction that, when executed, direct the computer to assign an annotated identifier to each node in the original XML document (See paras. 0010, 0053, 0062, 0084, 0111).



Regarding Claim 23, Hadfield discloses that the one or more computer-readable media of further comprises the annotated identifier is characterized by an attribute that is assigned a namespace that uniquely identifies an update process (See paras. 0102-0105).

Regarding Claim 24, Hadfield discloses that the one or more computer-readable media further comprises the attribute is characterized by a name that is randomly generated (See pre-filled Subject field) (See para. 0102).

Regarding Claim 25, Hadfield discloses the one or more computer-readable media further comprising computer executable instruction that, when executed, direct the computer to:

- assign an annotated identifier to each node in the original XML document (See paras. 0102-0105); and
- remove the annotated identifier from one or more nodes that are copies of another node in the document (See paras. 0006, 0010, 0053, 0062, 0084, 0111).

Regarding Claim 26, Hadfield discloses the one or more computer-readable media further comprising computer executable instruction that, when executed, direct the computer to search the original XML document for one or more new entries (See paras. 0082, 0084, 0107).

Regarding Claim 27, Hadfield discloses the one or more computer-readable media further comprising computer executable instruction that, when executed, direct the computer to insert the new entries into the database (See paras. 0083, 0092, 0104).

Regarding Claim 28, Hadfield discloses the one or more computer-readable media further comprising computer executable instruction that, when executed, direct the computer to update database data from the original XML document (See paras. 0102-0105).

Regarding Claim 29, Hadfield discloses the one or more computer-readable media further comprising logic instructions that, when executed on a computer, cause the computer to re-annotate the original XML document for further processing (See para. 0105).

Regarding Claim 30, Hadfield discloses the computer-readable media further comprising computer executable instruction that, when executed, direct the computer to update the XML document to reflect one or more changes to the database data (See paras. 0102-0105).

### **IDS**

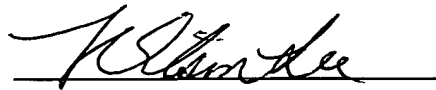
Moore (US 20010056429) is crossed through because it is a duplicate of a reference that is already considered. Herzon (6,235,027) is crossed through because it is a medical device, which is not related to the field of the invention. The IDS dated February 23, 2005 is crossed because the reference numbers are not clear. The Macromedia Inc reference is crossed through because it fails to comply with the requirement of submitting the IDS by lacking the Publication Date. The Applicants' Statement Regarding a Non-Public Use is crossed through because it fails to comply with the requirement of submitting the IDS by lacking the Publication Date, title and author's name.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Parker et al. (US 2003/0237046) discloses a transformation stylesheet editor.

### **Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824. Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Wilson Lee', is written over a horizontal line.

Wilson Lee  
Primary Examiner  
U.S. Patent & Trademark Office

9/15/06